

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

04-12159 GAO

2004 OCT 13 P 4:12

DAVID FRANCO,
Plaintiff,

MAGISTRATE JUDGE

Alexander

U.S. DISTRICT COURT
DISTRICT OF MASS.

vs.

CIVIL ACTION No.

KYTEL INTERNATIONAL GROUP, INC.,
GREGORY KILEY, EDWARD KILEY and
DON BOSCO,
Defendants.

RECEIPT # 59278
AMOUNT \$150
SUMMONS ISSUED N/A
LOCAL RULE 4.1 1
WAIVER FORM 1
MCF ISSUED 1
BY DPTY. CLK. FUM

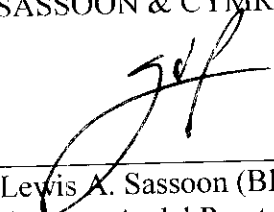
NOTICE OF REMOVAL
(28 U.S.C. § 1446)

DATE 10/14/04

1. The Defendants desire to remove the instant civil action filed in the Middlesex Superior Court, Massachusetts.
2. Venue is proper in this district and division as this is the district and division where the State court action is pending.
3. The grounds for removal are that there exists complete diversity of citizenship between the opposing parties, and the amount in controversy exceeds the jurisdictional amount.
4. Defendants attach a copy of all process, pleadings and orders served upon the Defendants in the State action.
5. Defendants were served on or about September 15, 2004 and they file this Notice

of Removal within thirty (30) days after receipt through service of a copy of the initial summons and pleading in the State action.

KYTEL INTERNATIONAL GROUP, INC., et al.,
By their Attorneys,
SASSOON & CYMROT LLP

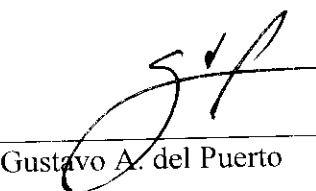


Lewis A. Sassoon (BBO #442600)
Gustavo A. del Puerto (BBO #568056)
84 State Street, Suite 600
Boston, MA 02109
617-720-0099

Dated: 10/13/04

CERTIFICATE OF SERVICE

I hereby certify that I have served on this date a true copy of this Notice of Removal, together with the Civil Cover Sheet and Category Sheet by mailing via first class mail, postage prepaid, to counsel for the Plaintiff, Lawrence E. Desilets, Esq., Liberty Plaza, 61 Nichols Road, Suite B5, Framingham, MA 01701.



Gustavo A. del Puerto

Dated: 10/13/04